

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

SMARTMATIC USA CORP.,
SMARTMATIC INTERNATIONAL
HOLDING B.V., and SGO
CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY
PILLOW, INC.,

Defendants.

Case No. 22-cv-0098-JMB-JFD

JOINT MOTION TO EXTEND DISCOVERY DEADLINES

Plaintiffs Smartmatic USA Corporation, Smartmatic International Holding B.V. and SGO Corporation Limited (“Smartmatic” or “Plaintiffs”) and Defendants Michael J. Lindell and My Pillow, Inc. (“MyPillow” and, collectively with Smartmatic, the “Parties”) respectfully move the Court for an order granting a four-week extension of all discovery deadlines and related non-dispositive motion deadlines.

Under the current discovery schedule, all fact and expert discovery is to be completed by June 11, 2024, with the exception of the July 23, 2024 deadline for expert depositions. The deadlines to submit fact and expert discovery related non-dispositive motions are June 11, 2024 and July 23, 2024, respectively.

While the Parties have exercised diligence in attempting to meet the current discovery schedule and have made progress with respect to written discovery, more time is needed in order to complete discovery. Specifically, due to the schedules of further witnesses and individuals associated with Defendants, the Parties have been unable to

schedule the depositions ahead of the June 11, 2024 deadline. The Parties have, however, agreed upon the following dates for the five following witnesses and anticipate agreed dates for further witnesses.

Deponent	Deposition Date
Michael J. Lindell	June 11, Houston Texas
MyPillow 30(b)(6) Representative	June 20, Remote
Darren Lindell	June 17, Minneapolis, Minnesota
Jim Furlong	June 18, Minneapolis, Minnesota
Lindell Management 30(b)(6) Representative	July 8, Remote

The Parties completed the deposition of third-party Mary Fanning on May 30, 2024, and Smartmatic has been engaged in the Central District of California and the Western District of Tennessee to compel the depositions of Conan Hayes and Brannon Howse, respectively. Defendants anticipate additional necessary depositions as well.

The Parties believe that a four-week extension of all discovery deadlines and related non-dispositive motions is sufficient to conclude all outstanding discovery matters.

Thus, the Parties stipulate to and request entry of the following:

- Extension of date to complete fact discovery, rebuttal expert reports, and non-dispositive motions related to fact discovery from June 11, 2024 to July 9, 2024.
- Extension to date to complete expert discovery and non-dispositive motions related to expert discovery from July 23, 2024 to August 20, 2024.

Dated: June 5, 2024

Respectfully submitted,

/s/ Timothy M. Frey

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